

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**January 11, 2007**

Vice-Chairman T. Michalski called the meeting to order at 4:05 p.m. and roll was taken.

MEMBERS PRESENT: B. Turnquist, B. Mazade, L. Spataro, B. Larson, S. Warmington,  
T. Michalski, B. Smith

MEMBERS ABSENT: J. Aslakson, excused; T. Harryman

STAFF PRESENT: L. Anguilm, D. Leafers

OTHERS PRESENT: T. Vande Zande, Architectural Group Inc; C. Harris, 1381 6<sup>th</sup> St;  
other MHS students

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of December 14, 2006 be approved was made by S. Warmington, supported by B. Larson and unanimously approved.

NEW BUSINESS/PUBLIC HEARINGS

Hearing; Case 2007-01: Staff-initiated request to amend Section 2504 (Hearings Notices, and Adjournments, #1) of Article XXV (Zoning Board of Appeals) to meet the requirements of the Michigan Zoning Enabling Act, Act 110 of 2006, regarding Zoning Board of Appeals newspaper public notice. L. Anguilm presented the staff report. When this same section came to Planning Commission for amendment in October 2006, staff overlooked some language that should have been deleted. All notices must be served at least 15 days prior to the day of the hearing. The old requirement was 10 days (excluding Saturdays, Sundays, and holidays). The new Zoning Enabling Act clarified this time frame by just requiring a simple 15-day notice requirement. That means we may delete the language referring to those additional days. New language (deletions are ~~crossed out~~ and additions are in bold): “When an application or appeal has been filed in proper form and with the required date, the Zoning Administrator shall immediately place said application or appeal upon the calendar for hearing and cause notices, stating the time, place, and purposes of the hearing being served. Such notices shall be published in a newspaper of general circulation and served personally or by mail at least fifteen (15) days (~~excluding Saturdays, Sundays, and holidays~~) prior to the day of such hearing, upon the applicant or appellant, the Building Inspector, the owners of property and the occupants of single and two-family dwellings within three hundred (300) feet of the property in question. If the tenant's name is not known, the notice may be addressed to the occupant. Any party may appear at such hearings in person or be represented by agents, attorneys, or both.”

A motion to close the public hearing was made by B. Smith, supported by B. Larson and unanimously approved.

A motion that the amendment to Section 2504, #1, of Article XXV, (Zoning Board of Appeals), of the City of Muskegon Zoning Ordinance, be recommended to the City Commission for approval, was made by B. Larson, supported by L. Spataro and unanimously approved.

## NEW BUSINESS

Case 2007-02: Request for Site Plan Review for a new medical building to house Muskegon Surgery Center, and Mercy Rehabilitation & Orthopedic Associates of Muskegon at 1400 Mercy Drive, by Evert Timothy Vande Zande, the Architectural Group, Inc. L. Anguilm presented the staff report. The property is currently being purchased from Mercy Hospital by Mercy SC Holdings, LLC/Orthopedic Associates of Muskegon. The property is currently used as an employee parking lot for Mercy Hospital. A new employee parking lot was recently constructed across Mercy Drive from this property and will be used as the new employee parking lot for Mercy. The zoning for the property is MC, Medical Care, and it is considered part of the Mercy Hospital campus at this time. All surrounding properties are zoned MC as well. Construction plans include a 72,000 square foot building with two levels. The main floor will consist of 42,478 square feet and will house Orthopedic Associates of Muskegon and an ambulatory surgical center. The lower level will contain 29,522 square feet and will house Mercy Rehabilitation, as well as a future tenant. The site plan and landscaping plans are quite complete with only a few issues that need to be addressed and details added to the site plan: a) label the location of snow storage areas or indicate if snow will be removed from the site, b) pole height for lighting in the parking lot needs to be added, c) indicate the height of the dumpster screening, d) indicate location of fire lanes and fire lock box, e) indicate the zoning of abutting properties, and f) no proposed signs are shown on the plan. Sign permits need to be obtained from the Inspections Department before any signs are installed. Parking appears to be adequate for the proposed uses in the building. There are 227 spaces required and 288 spaces are provided. That number is still within the maximum (295 spaces) allowed by the Zoning Ordinance. The landscaping plan meets the standards of the Zoning Ordinance. The Department of Public Works has approved the site plan. The Engineering Department had no comments regarding the site plan. The Fire Department has the following conditions: a) Fire Department connection location and placement shall be approved by the Muskegon Fire Department fire prevention bureau, b) fire lanes shall be established and maintained at all times and fire lane signage shall be posted on premises, and c) Fire Department key box shall be installed as required by local fire code. Staff has received no other comments regarding this request, and recommends approval of the site plan for a new medical building at 1400 Mercy Drive, subject to the conditions listed in the staff report.

B. Larson asked about the proposed lighting on the site. L. Anguilm stated that it was all 100% cutoff, and they just needed to note the height of the poles. B. Larson asked if there had been any dialogue between Hackley and Mercy Hospitals, so as not to duplicate services. He was concerned about competition between hospitals. T. Vande Zande stated that while Mercy Hospital was a partner in this venture, it was actually a doctor-driven group.

A motion that the site plan for a new medical building to house Muskegon Surgery Center, and Mercy Rehabilitation & Orthopedic Associates of Muskegon at 1400 Mercy Drive be approved, based on the conditions that 1) all requirements addressed in item #6 of the staff report shall be provided as needed on a revised site plan prior to issuance of a building permit, and 2) all conditions of the Fire Department listed in item #11 of the staff report are met, was made by L. Spataro, supported by B. Larson and unanimously approved. S. Warmington thanked the applicant for choosing to locate in the City of Muskegon.

B. Mazade arrived at 4:15 p.m.

C. Harris asked what the cost or budget was for this project. B. Mazade thought that it was around 3.5 million dollars. C. Harris asked what some of the benefits of this project would be. L. Spataro explained the project, and stated that it would benefit the community by having a new state-of-the-art medical facility available. It would also benefit the City of Muskegon, since it was located within the City limits.

#### OTHER

L. Spataro stated that the Community Relations Committee was in the process of making appointments to the various City Boards and Committees. The new Michigan Zoning Enabling Act of 2006 now requires that a member of the Planning Commission also serve on the Zoning Board of Appeals. B. Larson volunteered to serve on the ZBA as well as the Planning Commission.

A motion to nominate B. Larson as the Planning Commission representative on the Zoning Board of Appeals was made by S. Warmington, supported by B. Mazade and unanimously approved.

There being no further business, the meeting was adjourned at 4:20 p.m.

dml

01/11/07